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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

PR Docket No. 92-136

Amendment of Part 97 of the
Commission's Rules to Relax
Restrictions on the Scope of
Permissible Communications in
the Amateur Service.

(RM-7849)

(RM-7895)

(RM-7896)

COMMENTS OF THE MANAGER
OF THE NATIONAL COMMUNICATIONS SYSTEM

The Secretary of Defense, Executive Agent of the National Communications System (NCS)¹, through duly authorized counsel, pursuant to Section 201 of the Federal Property and Administrative Services Act of 1949, 40 USC Section 481, and the Memorandum of Understanding between

¹Executive Order No. 12472, "Assignment of National Security and Emergency Preparedness Telecommunications Functions," April 3, 1984 (49 Fed. Reg. 13471, 1984), established the National Communications System (NCS), which consists of an administrative structure involving the Executive Agent, Committee of Principals, Manager, and the telecommunications assets of the Federal organizations which are represented on the Committee of Principals. Section 1(e) of Executive Order 12472 designates the Secretary of Defense as Executive Agent for the NCS. By direction of the Executive Office of the President (EOP), the NCS members organizations (which are represented on the Committee of Principals) are: Department of Agriculture, Central Intelligence Agency, Department of Commerce, Department of Defense, Department of Energy, Federal Emergency Management Agency, General Services Administration, Department of Justice, National Aeronautics and Space Administration, the Joint Staff, Department of State, Department of Transportation, Department of Treasury, U.S. Information Agency, the Department of Veterans Affairs, Department of Health and Human Services, Department of the Interior, National Security Agency, the National Telecommunications and Information Administration and the Nuclear Regulatory Commission. The Federal Communications Commission, the United States Postal Service and the Federal Reserve Board also participate in the activities of the NCS. The vast majority of the telecommunications assets of these 23 organizations are leased from commercial communications carriers and serve the NS/EP needs of the Federal government as well as state and local governments.

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the Department of Defense and the General Services Administration dated November 27, 1950, hereby files these comments in response to the Notice of Proposed Rule Making (NPRM) captioned above. The Commission has proposed to amend Section 97.113 of its rules relating to amateur radio operators to lessen restrictions on the scope of permissible communications. The revision is one proposed by the American Radio Relay League. ("League".) The League contends that restrictions on the content of amateur transmissions should be based on the principle that any amateur-to-amateur communication is permitted unless specifically prohibited. The League therefore seeks to allow amateur stations to transmit occasionally certain types of communications that are now prohibited so that the amateur service community can better meet public service communication needs.

The Secretary of Defense, for the Department of Defense and in his capacity as Executive Agent of the NCS, has historically filed comments in Commission proceedings in support of the activities of amateur radio licensees.² The comments typically recite the value of amateur radio operators as a resource to be utilized by the NCS in carrying out its National Security/Emergency Preparedness (NS/EP) responsibilities. They also cite the June 2, 1983 Memorandum of Understanding between the NCS and the League which established a broad framework of cooperation and a close working relationship with amateur radio operators for national emergency communications functions.

As stated on page 2 of the Notice of Proposed Rulemaking, "The proposed rule amendments would expand the scope of public service communications and personal communications permitted in the amateur

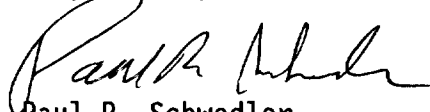
²See, for example, Manager's Comments in Docket 87-14 and in RM-7747.

service....These proposals are not intended to alter in any way the nature and purpose of the amateur service. Rather, they are intended to give amateur operators more flexibility to serve the public as well as to enhance their personal communications capabilities." The Manager of the NCS has examined the relatively minor changes proposed³ and believes they will not detract from the ability of the amateur radio community to respond to NS/EP situations.

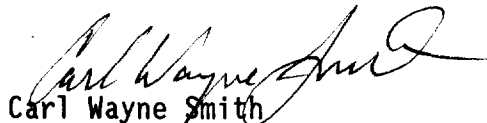
CONCLUSION

The Manager of the NCS therefore has no objection to the rule changes proposed by the Commission. The participation of amateur radio operators in NS/EP related functions has benefitted the nation's NS/EP posture and amendment of the rules as proposed would allow the amateur radio operators to continue to respond in NS/EP situations.

Respectfully submitted,



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³The proposed rules would allow communications in support of community activities, information regarding amateur radio club business activities, ordering food, lodging and transportation, and would permit a control operator to accept compensation as a teacher during times when the station is being used for instruction.